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John Barre M.D. 1800
The Gentleman

REMARKS

UPON

THE LAST SESSION

OF

PARLIAMENT.



BY

A NEAR OBSERVER.



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MDCCCXXII.

R E M A R K S,

&c. &c. &c.

THE people of England, and those who are meant by the Constitution to be their guardians and protectors, *viz.* the House of Commons of England, have unhappily become bodies so entirely at variance with each other, and the prayers and petitions of the former have for so long a time past produced such trifling results from their representatives, that any thing like the re-appearance of public opinion, influencing the conduct of that assembly, may justly be considered as one of the various changes, now passing in the world. That such a change, however, has had its commencement in the last session of parliament, it will be the object of the following pages to show; and above all it will be their object to prove, that such an exposure has been made of the House of Commons,

such a breaking in effected upon its modern ways of proceeding, that a practical reform of that body may be considered as begun, from this period ; and which, if supported by the vigilant and active co-operation of the people, cannot fail of producing the most important consequences.

In using the term *reform*, it may be necessary, once for all, to state in this place, that no new species of reform is here adverted to ; and that, in truth, nothing more is meant than the return to, or the restoration of the true and ancient constitutional courses of parliament.

Putting aside, then, for the present, those great and important questions relating to her late Majesty the Queen, and with the agitation of which the parliament last year was opened ; the material, and eventually the triumphant feature of the session, was that struggle, which was made by day and by night, for a period of nearly four months' duration, to interrupt the accustomed lavish expenditure of the public money.

For a long time previous to the last session of parliament, there was no man of common sense in the kingdom, that by himself or his family did not live upon the taxes, who was not perfectly convinced, that, under all the united *circum-*

stances of the country, of our return to a state of peace (from every appearance so likely to be durable), and of the enormous load of debt and taxes, difficulties and distresses of every description pressing upon the nation—all the great establishments of the country were preserved, upon a scale far exceeding their necessity, as well as our means of supporting them; and that, upon every principle of policy and justice, the people were entitled, after all their sacrifices, to some substantial relief by the reduction of our expenditure.

The ministers of the Crown were themselves so convinced of the universality of this feeling in the country, as well as of its justice, that, in the year 1817, Lord Castlereagh proposed in the House of Commons a measure, which in modern times has been uniformly resorted to by the government in that assembly, whenever a more than ordinary demand has been made by the public for a rigid economy in the disposition of their property—the measure referred to was a *Select Committee of Finance*.

As this notable device of modern times, for transferring the duties and responsibility of the executive government to a committee of the House of Commons, named by a minister of the Crown, thus withdrawing, in the first instance,

the grievances complained of from public discussion, and eventually gaining a parliamentary sanction to every ministerial measure—as this device has been itself the great standing grievance of the nation for many years past, and the insurmountable bar to all real and substantial economy and reform—it is fortunate, that at last such an exhibition has been made by one of these committees, as to furnish the most reasonable grounds of expectation, that expedients so deeply injurious to the interests of the country, so palpably delusive and insulting to the people, can never again be resorted to.

The conduct of this Finance Committee of 1817 is inseparably connected with the events of the last session; but there were circumstances connected with its formation so striking and instructive, there were acts committed by it, when formed, so novel and unparalleled in the history of this country, presenting altogether so irresistible a case for some great change in the conduct of the House of Commons, that a particular reference to these scenes necessarily forms a material part of this address.

It was on the 7th of February, 1817, that Lord Castlereagh rose in his place in the House of Commons to propose the committee in question; and having eulogised (as well he might)

the great exertions of the nation in the late successful struggle with France, and having taken due credit to the government and the House of Commons for their portion of this glory, his lordship said, "After having discharged these arduous duties, he trusted they would now, with equal resolution, perseverance, and success, apply themselves to those resources, which in time of peace were necessary to secure the stability and prosperity of the country, to recruit its resources, and prepare it for any future contest in which it might be called upon to engage. The time was come when the House ought to consider, what would be a proper permanent system for a peace establishment; and he trusted that gentlemen would bring to the subject, about to occupy their attention, that combination of firmness and moderation, which they so eminently displayed in the course of that arduous contest in which Great Britain had been so long involved. He was sure the House would go along with him when he laid down this as an incontrovertible maxim, that no country, especially a country with such an accumulation of debt as now pressed upon this country, could ever consider its prosperity in time of peace established on a firm and secure foundation, unless its expenditure was reduced,

“ *not only to the level, but below the level of its*
 “ *revenue.* This was the only system by which
 “ the great object in view could be attained.
 “ Unless this system were adopted and acted
 “ upon with perseverance, the country never
 “ could be brought to the condition which would
 “ enable it, when called upon, to cope with new
 “ difficulties ; *upon that principle, therefore,*
 “ *their measures of reduction must be regu-*
 “ *lated.*”

Again, in the same speech, his lordship says,
 “ It was impossible, that in the course of one
 “ year the consequences of the great change
 “ which had taken place could have passed
 “ over ; and it ought to be remembered, that
 “ the same difficulties were experienced at the
 “ end of the American War, in 1783 ; but he
 “ trusted, that *though the last year had not*
 “ *been marked with such symptoms of returning*
 “ *prosperity as were desirable,* and though the
 “ executive government had not been able to
 “ reduce the expenditure last year to the extent
 “ required by that policy, which it was *now*
 “ necessary to adopt, and the country conse-
 “ quently had not *yet* begun to reap the benefit
 “ of that policy ; yet he was not without hopes,
 “ that the time when the principles of reduction
 “ would begin *effectually* to operate would be
 “ at an earlier period after the close of the war,

“ than it had done after the termination of the
 “ war in 1783.”

In adverting to the finances, his lordship said,
 “ it was the duty of parliament now to enter
 “ upon that investigation: and he assured the
 “ honourable gentlemen opposite, *that the ser-*
 “ *vants of the Crown were so far from wishing*
 “ *to avoid, that they courted investigation:*
 “ *they were ready to receive and turn to the*
 “ *best advantage all the light upon this interest-*
 “ *ing subject, that could be supplied by gentle-*
 “ *men on the other side the House;* for they
 “ reckoned it their highest pride and glory to
 “ do every thing in their power to find out the
 “ best system for the administration of the
 “ finances of the country.”

Such was the substance of this grave discourse, pronounced by Lord Castlereagh, upon subjects, it must be admitted, of the first and most vital importance; and, in conclusion, “ as
 “ the best course to pursue, for the purpose of
 “ instituting an *earnest* parliamentary inquiry
 “ into the public revenue and expenditure of
 “ the country, and for the purpose of *sifting*
 “ and *probing every unnecessary expense to the*
 “ *bottom,*” his lordship concluded by moving, that a select committee be appointed “ to inquire
 “ into and state the income and expenditure
 “ of the United Kingdom for the year ending

“ the 5th of January, 1817; and also to state
 “ the probable revenue and expenditure (as far
 “ as the same could be made out) of the year
 “ ending the 5th of January, 1818, and 1819,
 “ respectively, and to report the same, with
 “ their observations, to the House; *and also to*
 “ *consider what other measures may be adopted*
 “ *for the relief of the country from any part of*
 “ *the said expenditure*, without detriment to the
 “ public interest.”

Whatever effect this elaborate display of Lord Castlereagh may have produced upon his audience, certain it is, that when he disclosed to the House of Commons the names of the twenty-one national benefactors, to whom he was about to delegate this momentous trust of restoring the resources of the country by retrenchment and economy—when it appeared from such disclosure, that a considerable portion of these gentlemen were the fellow-servants of the noble lord in office, and that a great majority of the remainder were gentlemen, who avail themselves of every opportunity for expressing their unqualified approbation of his measures—there were members in that assembly, the best qualified, from experience and independence of situation, to form an accurate judgment upon such subjects, who did not hesitate to expose to the nation, in language pretty unqualified, the gross

and insulting delusion which was about to be practised upon it.

But let us refer to Lord Castlereagh's own words upon this part of this subject, and to those *principles* upon which he professed to form his committee. His lordship observed, "An honourable gentleman had said, that such a committee as that, which he was about to move for, should be composed of members quite impartial in their views ; but this qualification was far from being a common one ; and if the committee were to consist of twenty-one, he should be quite at a loss to fill it up, if he were restricted to that consideration : there were some gentlemen, indeed, in the House, who, with great honour to themselves, *and no doubt with great advantage to their country*, reserved their minds for an impartial consideration of every topic ; but they *were not very numerous, nor were they treated with peculiar respect* by the other side of the House ; indeed, if any thing were viewed on the other side of the House with more peculiar hostility than another, it was an attempt to set up an independence of opinion ; and if ever they felt the inconvenience of that independence to their own views, they resented it with peculiar acrimony. Rejecting, therefore, *the visionary prospect* of choosing

“ the committee out of *that rare and pure class*
 “ *of mortals*, he should fairly nominate to it
 “ members of both parties. Although he did
 “ not share all the indisposition which had been
 “ manifested towards *the class of impartial per-*
 “ *sons*, he went to a certain degree with those
 “ who objected to them ; *for he was perfectly*
 “ *ready to allow, that public business could*
 “ *not be better managed, or so well managed,*
 “ *if it were not for the system of parties ;* and
 “ in his conscience he believed, that whatever
 “ human happiness was to be found in this
 “ country, in a greater degree than in the other
 “ countries of Europe, was to be attributed to
 “ that conflict of parties, chastened by the spirit
 “ of the constitution, and subdued by the spirit
 “ of decorum. To this honourable and liberal,
 “ but animated and determined contest, was,
 “ he would repeat, to be attributed the envied
 “ superiority of this country in public happiness,
 “ wisdom, and liberty.”

It is scarcely necessary to observe, that such
 an avowal as this was never made before in an
 English House of Commons, that, where the
 relief of the country from the pressure of its ex-
 penditure was the object to be accomplished,
 all *visionary* men, or, in other words, men who
 were more intent upon serving their country
 than themselves, were on that very account to be

studiously avoided, and that this important trust was to be exclusively confided to the trade of politicians. With respect to those prospects of superior advantage, which the nation was to derive from the "*animated and determined contests*" of political parties on this Committee of Finance, the members of which (with the exception of two or three) were all of one side, being either the official fellow-servants of the noble lord who named it, or his devoted partisans, they appear to have been very justly appreciated by Mr. Wilberforce. In the course of this debate, that gentleman is stated to have observed, "that, "after the best consideration of the subject, he "could not give an entire approbation to the "appointment of this committee. The appointment of a committee to inquire into the reductions possible in the civil and military establishment was highly expedient; but he "was much afraid, that no report could be "made to the House in sufficient time to be "useful for such purposes. His mind was "pretty well made up on this point, when he "heard the noble lord say, that it might sit "one or two years, or perhaps three; if that "were the case, what good could be expected "from its labours? His right honourable "friend (Mr. Canning) had admitted, that if "the committee was appointed to effect a dimi-

“ ntion of the influence of the Crown, it would
 “ be improper that any official men should be
 “ comprehended in it. Now, in his opinion,
 “ the principle applied equally to the present
 “ case. When it was made a direct question,
 “ whether or not certain offices should exist,
 “ did it not clearly affect the influence of the
 “ Crown? With respect to the influence of
 “ the Crown, he contended, in opposition to the
 “ right honourable gentleman (Mr. Canning),
 “ that it had increased very considerably of late
 “ years: perhaps the *immediate* influence of the
 “ Crown in parliament might be less than for-
 “ merly; but when he considered the great in-
 “ crease of our establishments, military, naval,
 “ and fiscal, together with our vast colonial
 “ establishments, it was impossible not to see
 “ that the influence of the Crown was exceed-
 “ ingly augmented; it in fact met every man
 “ everywhere: it was of extreme importance,
 “ with regard to the estimation in which par-
 “ liament was to be held by the people, that
 “ it should act in a way to secure their good
 “ opinion and confidence. Their tempers might
 “ be a little soured by their sufferings, and they
 “ might, under the influence of such sufferings,
 “ look with jealousy on a committee, so ap-
 “ pointed as not to hold out any prospect of
 “ substantial relief. So great was the influence

“ of the Crown, that it would be very difficult
 “ for any members of this committee to main-
 “ tain opinions different from the wishes of
 “ the government; and, therefore, whilst he
 “ acceded to the first proposition for the ap-
 “ pointment of a committee generally, he heartily
 “ wished, that in the subsequent proceeding
 “ some mode might be adopted better calculated
 “ to produce unanimity than the nomination of
 “ the noble lord. He should be sorry that
 “ those, who loved the constitution, although
 “ distress might have soured their temper a little,
 “ should have an opportunity of saying, that
 “ such a committee had been formed as could
 “ produce no useful effect.”

Notwithstanding the advice thus given to
 Lord Castlereagh by a person of Mr. Wilber-
 force's talents, experience, and gravity of cha-
 racter, to save the House of Commons from that
 exposure to which it was about to be subjected,
 the noble lord persisted in preferring his own
 system to such judicious counsel; and before
 the committee was finally arranged two divisions
 took place, upon the comparative qualifications
 of different gentlemen to become members of
 this committee, which divisions may be considered
 as the practical illustrations upon record of
 the principles on which this committee was
 formed.

When Lord Castlereagh proposed the name of Lord Binning as a member of this committee, it was proposed, as an amendment, to substitute the name of Mr. Tremayne, the member for the county of Cornwall. The objection to Lord Binning was of course to his official character only; and, in any other place but the House of Commons, such objection would have been considered as conclusive. The professed, and indeed the sole object of the appointment of this committee, was to relieve the people of England by a diminution of the public expenditure; and in which was expressly included the reduction of useless offices. The office held by Lord Binning, as one of the Commissioners for managing the affairs of India, is perhaps the most useless of any to be pointed out, either in or out of parliament: these junior commissioners have just as much to do with the management of India as they have with the management of Turkey. “A board of Commissioners (as it is called) for managing “the affairs of India,” as far as any efficient object is concerned, is a mere fancy name; by the same act of parliament under which Lord Binning is a commissioner for managing the affairs of India, and has 1500*l.* per annum for so being, all the great officers of state are named commissioners likewise, without salaries; and they

have just as much to do with the management of India as the commissioners with salaries, which is nothing at all. The truth is, that the president of the Board of Control, or chief commissioner, is the sole person who has any intercourse with the East India Company, or with any of their servants or settlements abroad : he is in every respect what the secretaries of state are in their respective departments ; and the offices of the two junior commissioners with salaries are nothing more than a modern device to give two parliamentary places to ministerial voters. As offices held by *members of parliament*, those of the junior India commissioners are worse than useless ; because, being *new places*, they are in direct violation of the 6th of Queen Anne ; and as the chief commissioner and secretary are both in the House of Commons, there is not the shadow of a pretence for the junior commissioners being there also.

Under all these circumstances, therefore, the question proposed to the House of Commons was this : whether Lord Binning or Mr. Tremayne, the latter representing one of the largest and most populous districts in England, and entirely unconnected with office, was the most likely to accomplish the objects of the committee, in diminishing the public expenditure, and abolishing useless offices ; and the

House of Commons decided, by a majority of 42 (the numbers being 178 to 136), that Lord Binning was the fitter person of the two.

The next division took place upon Lord Castlereagh proposing the name of Mr. Huskisson; and the name of Mr. Tremayne was again proposed as an amendment. The objection to Mr. Huskisson was the same as to Lord Binning, his official character only; and certainly it would be difficult to select a person more identified with public grievances than Mr. Huskisson. To begin with that which may be considered as the least, though of no mean importance—we may take his *official residence* as Surveyor General of the Crown Lands. In that fertility of invention, which has been displayed of late years, in spending the money of the people without the slightest possible pretence, a system has risen up of building or buying, at the expense of the nation, official houses for the inferior officers of the government. The house now occupied by Mr. Huskisson, as Surveyor General of the Crown Lands, was built at an enormous expense for his predecessor, Mr. Fordyce; there being just as much occasion for an official residence for the late Mr. Fordyce, or the present Mr. Huskisson, as Surveyors of the Crown Lands, as for the late architect to the Crown, Mr. Wyatt, or the present, Mr. Nash.

It is somewhat too much, that whilst the Secretaries of State have no official houses, the nation should be involved in this expense for the Surveyor of the Crown Lands, and a great variety of other inferior officers of the government, with just as little reason. An economical committee, really intent upon doing its duty to the public, would call for an account of all monies thus expended in the last twenty or thirty years: they would recommend such buildings as were really useless to be disposed of for the benefit of the public; and if the money thus recovered bore little proportion to what had been expended, the measure might at all events prevent the recurrence of this abuse in future.

It is another objection to Mr. Huskisson, as a member of this committee, that in truth he is disqualified, or ought to be, from sitting in the House of Commons at all. Amongst the other emoluments held by that gentleman, are those derived from his office as agent for the island of Ceylon. This is a *new place*, a modern creation; and of course, under the statute of the 6th of Queen Anne, the holding it disqualifies him from sitting and voting in parliament. Upon this precise ground Mr. Huskisson's return to parliament was petitioned against in the year 1806-7; and the defence made by him was the admission of the late Mr. Windham,

who as colonial secretary had given Mr. Huskisson the appointment, that in so doing he had not taken the pleasure of the Crown; *ergo*, it was not a new place under the Crown. Now supposing this to be a case out of the letter of the statute (which is by no means admitted), it is impossible there can be a more palpable violation of its spirit and meaning. The act specifically provides against the introduction of any new placeman into the House of Commons. The agent for the island of Ceylon, with a large salary, is a new placeman; and whether he is appointed by the Crown, or the minister of the Crown, the injury to the Constitution is the same; and it is that precise injury which was meant to be guarded against by the statute of Queen Anne. If it is lawful for Mr. Huskisson to sit in parliament, holding this new created office, there is no reason why the secretary of state for the colonies should not grant agencies with salaries for all our other colonies, to members of parliament of his own nomination. It is the more necessary that this subject should be brought speedily under the view of parliament and the public, as another new placeman, of a similar description, has lately made his appearance in the House of Commons: the gentleman referred to is Mr. Alexander Cray Grant, member for Lestwithiel; and his office,

or his salary, is said to be some great percentage, arising from the management, by another person, of the $4\frac{1}{2}$ per cent. Barbadoes and Leeward Island duties—so that here is another new placeman, in direct violation of the statute of Queen Anne. The remaining objection to Mr. Huskisson, as a person who on this Finance Committee was to diminish the public expenditure, and abolish all useless offices, is, that by himself or his family he is a pensioner upon the fund above referred to, of the Barbadoes and Leeward Island duties. Without going here into the origin of this fund, it is sufficient to state, that by one description of persons it is said to be strictly applicable to public colonial objects in the islands where it is raised: of this opinion were all the ministers, and all the House of Commons, at the period of Queen Anne's accession to the throne; as appears by the journals of the House of Commons at that time. Another description of persons are of opinion, that these public colonial objects ought to be provided for out of the taxes of this country; and that the Barbadoes and Leeward Island duties ought to be divided in pensions amongst *the trade* (of politicians) in this country. Of the latter creed, of course, is Mr. Huskisson; the question, therefore, was, in forming the Com-

mittee, which was the best qualified as well as the most disinterested judge on this important point, Mr Huskisson or Mr. Tremayne; and the House decided, by a majority of 62, in favour of Mr. Huskisson, the numbers being 186 to 124.

It cannot excite much surprise, after such exhibitions as these, that when Lord Castlereagh proposed the name of Sir John Sebright, the member for Hertfordshire, as one of the committee, the latter gentleman preferred the situation of a *visionary* man, and to retain his liberty as a member of the House, rather than submit to those conditions of party imposed by the noble lord upon all who entered his committee. Sir John Sebright said, “ he had been named by “ the present ministers as a member *of the Civil* “ *List Committee*, but they refused the powers “ necessary to render it effective, and it was in “ fact a gross delusion upon the public—that he “ considered the *present committee* to be also a “ gross imposition, and that he would not put “ his foot into a committee so constituted; as, “ by so doing, he should be lending his aid to “ mislead and delude the public—that he was “ as hostile as any man to the factious and mis- “ guided part of the community; but that now “ was the time when it became the imperative “ duty of all independent members and country

“ gentlemen to come forward and support such
 “ measures as would conciliate and give satis-
 “ faction to the rational and moderate part of
 “ the community.”

Lord Castlereagh said, “ the present com-
 “ mittee had the powers which had been refused
 “ to the Civil List Committee.”

Sir John Sebright replied, “ *I am aware of*
 “ *that ; but I owe it to my country not to prac-*
 “ *tise a gross and scandalous delusion upon the*
 “ *country.*”

Thus ended the nomination of this com-
 mittee ; and the names of the members, as they
 finally stood, were Lord Castlereagh, Mr.
 Bankes, Mr. Tierney (whose bad state of health
 would not permit him to attend), the Chancellor
 of the Exchequer, Lord Binning, Mr. Wilbra-
 ham Bootle, Sir John Newport, Mr. Peel,
 Mr. Hart Davis, Sir George Clerk, Mr. Frank-
 land Lewis, Mr. Huskisson, Mr. Nicholson Cal-
 vert, Mr. Davies Gilbert, Mr. Cartwright,
 Mr. Holford, Mr. E. Littleton, Mr. Tremayne,
 Lord Clive, Mr. Gooch, and Sir Thomas Acland.

It must be admitted, that never company of
 reformers entered upon their functions more
 suspiciously looked at than this Finance Com-
 mittee, and, as events have proved, never with
 more reason.

It has been observed before, that the *first*

Lord 6-750
Lord 3-150
1846-150
Huski 24

object a government has in view in forming a Finance Committee is to gain time, and to withdraw the grievance immediately complained of (which in this case was the profuse expenditure of the country) from public and detailed discussion.

Accordingly we find, on the 10th day of March, 1817, the first use of this Finance Committee clearly exhibited to public view. It was on that day, that the House, having resolved itself into a Committee of Supply, for the purpose of considering the Army Estimates, Lord Palmerston, as Secretary at War, said, “ that
 “ the vote he was about to propose was for the
 “ half year ending in June next. *He thought*
 “ *it would be proper that the general discussion*
 “ *should be postponed until after Easter, when the*
 “ *Report of the Finance Committee would be laid*
 “ *on the table, and the House would be called on*
 “ *to decide on an establishment for the rest of the*
 “ *year.*” He therefore moved his first resolution,
 “ that a number of land forces, not exceeding
 “ 121,035, commissioned and non-commissioned
 “ officers included, be maintained for the service
 “ of the United Kingdom of Great Britain and
 “ Ireland, from the 25th day of December, 1816,
 “ to the 24th day of June, 1817, both in-
 “ clusive.”

As the House of Commons had surrendered

its inquisitorial power over the public expenditure into the hands of the Committee of Finance, nothing could be more a matter of course than this motion ; and the providing for the great military establishments of the country for the first half year, became by this means an operation of a very few minutes only, scarcely producing a single observation.

If the nation could afford to be *amused* with this expensive and insulting foolery, it certainly would be curious to speculate upon those anxious hours, and days, and weeks, which Lord Palmerston must have passed till he knew *how he stood* with the Committee of Finance—till he became perfectly acquainted with the extent of the havoc which was making in his estimates, by Lord Castlereagh and Mr. Vansittart, by Mr. Huskisson and Mr. Peel, by Lord Binning and Sir George Clerk, by Mr. Holford, the member for Queenborough, and the Commissioner in Ireland, Mr. Frankland Lewis*, by Mr. Hart Davis and Mr. Gooch, by Lord Clive and Mr. Cartwright, and by Mr. Wilbraham Bootle Wilbraham. If, however, Lord Palmerston's anxiety must have been great, during this painful period of suspense,

* *Since* appointed commissioner: then, together with Sir George Clerk (since a lay lord of the admiralty), in his preparatory or probationary state.

his triumph and gratification could not have been less when he found, that between his own estimates and those of the Committee of Finance there was not the difference of even a single soldier, for all the military establishment of this great empire. It was on the 12th of May, 1817, that Lord Palmerston moved the army estimates for the remaining half year; this was the day to which, on the former occasion, he had specifically deferred the *general discussion* upon the subject; but now his lordship said, “*the labours of the Finance Committee made it unnecessary for him to trespass at such length as he might otherwise have felt himself bound to do; the general and comprehensive statements in the Second Report of this Committee would enable gentlemen to satisfy themselves on many points:*” and, eventually, he moved, for the remaining half year, the precise number of men, 121,035, that he had on the former occasion moved for the first half year; so here was exhibited the *second* great object of a Committee of Finance, named by a minister of the Crown, *viz.* a parliamentary sanction given to ministerial estimates. It was by these ingenious contrivances, that those Army Estimates, which occupied the House of Commons for six or seven weeks of the last session of parliament in constant discussion (the con-

sequence of which discussion has been a diminution of 10,000 men), in 1817 did not occupy the house for near as many hours, and did not suffer the diminution of a single man : but such was the purpose for which this Committee of Finance was formed.

When the Navy Estimates came to be voted in the year 1817, March 14, the same scene was repeated before the representatives of the people, and with the same gravity which had been before displayed respecting the estimates for the army. Sir George Warrender, the lord of the admiralty who usually moves the supplies for the navy, appears to have been influenced by the same distrust of his own judgment, and the same deference for the public interests, which had marked the conduct of Lord Palmerston ; he would only move the supplies for the first half year, leaving the provision for the remaining half year to the more matured and dispassionate consideration of Sir George Clerk and the other members of the Finance Committee : and here again there was the same happy coincidence between Sir George Warrender and the Finance Committee as on the former occasion ; not a single ship too much, no, nor a lay lord of the Admiralty neither, nor one in the least overpaid for all his laborious duties in the service of the state.

If the actors in these scenes did not speak for themselves, it would be quite impossible by any other evidence to satisfy the nation, as to the species of treatment which it receives from its representatives.

Having shown the manner in which this Finance Committee of 1817 (formed with the avowed object of reducing the general expenditure) was successfully employed in protecting that expenditure from all public discussion, and in giving its sanction to whatever ministerial estimates were submitted to it; we may now look at them in their characters of *reformers*, and advert to certain recommendations of theirs, in the year 1817, upon the subject of various offices to be regulated or abolished; or it may be better, perhaps, to refer to those acts of parliament themselves, which were passed in pursuance of such recommendations.

Mr. Davies Gilbert appears to have been the chairman of this Finance Committee, and who (supported by their authority) proposed these acts for the adoption of the legislature. The first of them (57 Geo. III, cap. 60) is to *regulate* certain offices in the Court of Exchequer in England, the duties of which are, *upon the expiration of existing interests*, to be executed in person instead of by deputy. Another (57 Geo. III, cap.

61) is to abolish the two offices of the wardens chief justices and justices in eyre, north and south of Trent, *subject to existing interests in the same*, such offices being stated to be sinecures. Another (57 Geo. III, cap. 62), is to abolish certain offices and to regulate others in *Ireland*. Of the offices to be abolished by this act, *always subject to existing interests*, are those of "the accountant to the board of general officers, secretary to the said board, corrector and supervisor of his Majesty's printing press, compiler of the Dublin Gazette, master of the revels, seneschal of his Majesty's manors, accountant general, supervisor of accounts in the barrack department, barrack master of the royal barracks." Another act (57 Geo. III, cap. 63) is to *regulate* the offices of the clerks of the signet and privy seal. Another act (57 Geo. III, cap. 64), is to abolish certain offices and regulate others in *Scotland*. The offices abolished, *always subject to existing interests*, are those of one of the clerks of the pipe, clerk assistant to the general surveyors and inspectors of taxes, comptroller general of the customs, receiver of bishops' rents, inspector of wheel carriages, gazette writer, inspector general of the roads of Scotland.

And now we come to an act, which was equally proposed by Mr. Davies Gilbert from

the Finance Committee, and which may be justly said to have no parallel in the history of this country. This act (57 Geo. III, cap. 65) has for its title, "*An Act to enable his Majesty to recompense the Services of Persons holding, or who have held, high and efficient Civil Offices.*"

This act begins by reciting, that "the abolition and regulation of various offices will deprive the Crown of part of the means by which his Majesty has been heretofore enabled to recompense the services of persons who have held *high and efficient civil offices*;" and then it modestly enacts, that from thenceforth and for evermore, all the high and low "*efficient public officers*" of the country, from the first lord of the treasury, down to the secretaries of the treasury, under secretaries of state, clerk of the ordnance, first and second secretaries of the admiralty, all included, shall be supported by pensions paid out of the pockets of the people! This act ought to be reprinted by itself, and circulated through every part of England, as the act of that Committee, which was created for the express purpose of *relieving the people by a diminution of the public expenditure*; which was to put the nation in so prosperous a state as might *enable it to cope with new difficulties whenever they arose*; and which, in short, *was formed upon*

those principles that had made us the freest, wisest, and happiest people upon earth.

When Mr. Wilberforce said, in his speech before quoted, that, "so great was the influence of the Crown, it would be very difficult for any member of the committee to maintain opinions different from the wishes of the government," he never could have imagined that things would come to such a pass as this—that a committee, which was expressly formed to *abolish* useless places, should presume to recommend the *purchase* of them; that the purchase money was to be paid by the people in pensions to *the trade* (of politicians); and that even different members themselves of this economical, reforming, retrenching committee, were to come in for their share of the booty! But let us examine these unheard of, these monstrous pretensions of our "*high and efficient public men*" to be supported by pensions from the pockets of the people.

This pension-making act assumes, as a principle, that the different sinecures abolished by the three or four preceding acts (most of which appear of the lowest and most objectionable description) were the absolute property of our "*high and efficient public men*." And then it logically concludes, that because these offices are abolished, our "*high and efficient public men*" must be provided for in some other way. The

doctrine of vested interests in existing sinecures has been too often carried to an extent sufficiently unwarrantable: but to provide against the termination of a sinecure by creating a perpetual pension, and to a greater amount; nay, to make the pension begin before the sinecure is to end, exhibits at least a degree of acuteness in our “*high and efficient public men*,” which has no parallel in any of their predecessors.

At various periods of our history the Crown has parted with great hereditary revenues, which, according to custom, as well as by law, the monarch could grant to either the great and meritorious officers of state, or to his own personal favourites and connections; but on no such occasion has any representative of the people had the courage to stand up in his place and to say, “Here is a considerable mass of property, or plunder, withdrawn from the grasp of our *high and efficient public men*: the people must make it up to them by corresponding pensions.”

The rapacious reign of Charles II furnishes no precedent of this kind; and from the Revolution down to our own time, and during which period various places have been abolished, no complaint has ever before been made, on such occasions, that the market was too scantily supplied for the support of our “*high and efficient public*

“ *men*,” and that some new stock must be created for such purposes. But there is no end to the objections to this disgraceful measure. Had the principle, upon which it professes to be founded, been rigidly adhered to, the people would have been favoured with an account of what was actually saved by the abolition of these different sinecures in question, for the purpose of seeing how far the money saved tallied with that which they were to pay. Then, again, as they were to have the honour of supporting our “ *high and efficient public men*” from thenceforth for evermore, merely because certain places were taken away, it would have been only an act of justice to the people to have shown them how these “ *high and efficient public men*” had been hitherto supported by such offices as those of the corrector and supervisor of his Majesty’s printing press ; compiler of the Dublin Gazette ; master of the revels ; seneschal of his Majesty’s manors (all in Ireland) ; or by the offices of the receiver of bishops’ rents ; and inspector general of wheel carriages (in Scotland).

Again : if there had been any consistency in the authors of this measure, as they professed by this bill to make up to the Crown for the patronage it lost from the abolition of these places, by giving it, in return, a patronage over pensions, they would have left this pension fund

at the sole disposal of the Crown, without presuming to interfere with its application themselves. But this reforming committee have just dealt as freely with the power of the Crown as with the money of the people ; they have taken all into their own hands ; they have taken upon themselves to select the proper objects of the royal bounty ; and they have estimated the precise value of their services. Secretaries of state are put down in the Finance Committee Bill as worth exactly so much—a head ; and all the other high and low “ *efficient public men*” have, in the like manner, each their value fixed ; the only condition imposed upon *the trade* is, that they shall have *served their time out*.

It is said that Mr. Davis Gilbert, who as chairman of the Finance Committee presented this memorable bill to parliament, is a gentleman not less distinguished by his talents than his learning ; did it never occur to this gentleman, that in thus providing for our public men, as merely for the trade of politicians, he was not only dooming them to eternal degradation, but that in fact he was removing the main-pillar of the Constitution—the perpetual responsibility of the ministers of the Crown ?

Lord Bacon had some reputation likewise, as well as Mr. Davis Gilbert, for *his* understanding, *his* learning, and *his* wisdom ; a reputation which

has survived him two hundred years, and without any prospect of diminution : he was himself too a “ *high and efficient public man,*” and no one more versed than him in all affairs of state. When, therefore, Sir George Villers applied to him for advice upon this very subject, of the duties of a minister of the Crown, Lord Bacon’s answer to him is no light authority to go by. Lord Bacon says, “ Remember well the “ great trust you have undertaken : you are as a “ continual sentinel, always to stand upon your “ watch to give him (the king) true intelligence. “ If you flatter him you betray him ; if you conceal from him those things which concern his “ justice or his honour, though not the safety of “ his person, you are as dangerous a traitor to “ his state as he that riseth in arms against him ; “ a false friend is more dangerous than an open “ enemy. Kings are styled gods upon earth, not “ absolute, but *dixi, dii estis* : and the next words “ are, *sed moriemini sicut homines*, they shall die “ like men, and then all their thoughts shall “ perish. They cannot see all things with their “ own eyes, nor hear all things with their own “ ears ; they must commit many great trusts to “ their ministers. Kings must be answerable to “ God Almighty, to whom they are but vassals, “ for their actions and omissions ; *but the ministers of kings, whose eyes and hands they are,*

*“ must be answerable to God and man for the
 “ breach of their duties, in the violation of their
 “ trusts whereby they betray them. Opinion is
 “ a master wheel in these cases.”*

What a difference of language and of sentiment between Lord Bacon and his successor, Mr. Davis Gilbert! The latter gentleman takes for granted, that all ministers are alike, and all of them good, or at least quite good enough to be supported by pensions from the people; *he* thinks they are only *answerable* for having *served their time*; and *his* advice to a minister of the Crown, as recorded by his bill, is, “ Protect yourself, at
 “ all events, against both the Crown and the
 “ People; a pension beforehand is the master-
 “ piece of all.”

We have now nearly done with the acts of this Finance Committee in the year 1817; that is to say, in the first year of its reign. But before we begin with its conduct during the last session of parliament, it is necessary to make a quotation from its second Report, which contains an opinion, pronounced by the Committee, as to what ought to be the scale of our great military establishments for the future.

“ Your Committee are deeply sensible of the
 “ extreme difficulty of ascertaining the precise
 “ point at which our military establishments
 “ should be fixed, on account of political con-

“siderations, and others of a still more delicate
 “nature, which must necessarily involve them-
 “selves in the question*.”

“Your Committee, in making reference to the
 “year 1792, desire to call the notice of the House
 “to the low establishments of the latter part of
 “that year, which were deemed sufficient for all
 “national purposes at that time, in the contem-
 “plation of a long continuance of peace; and
 “although many circumstances are materially
 “changed by events which have subsequently
 “taken place, so as to prevent any exact parallel
 “from being drawn between the two cases, espe-
 “cially in the amount of pecuniary charge, yet
 “they submit, that as near an approximation to
 “that low scale of establishment and expense as
 “may be found consistent with our more ex-
 “tended possessions, and with the augmented
 “rates of various fixed disbursements, would be
 “highly advantageous in relieving the burthens
 “and supporting the public credit of the coun-
 “try†.”

Mr. Huskisson is said to have been the gentleman who prepared this report; and certainly no one knew better than himself the extent of reduction which was practicable in our great national expenditure; but events have since

* Report, page 21.

† Report, page 30.

proved, that the project for “*relieving the burdens and supporting the credit of the Country, by approximating as nearly to the scale of expenditure in 1792 as the public interests would admit of,*” was a mere empty vapour of this Finance Committee; for when the estimates of the different services for the year were laid before parliament in the last session, it appeared, that those for the army, navy, and ordnance, amounted to 14,353,754*l.*; the same estimates for 1817 having been 13,951,767*l.*; so that, instead of any approximation to the scale of expenditure in 1792, which for the same services was 4,760,694*l.*, there was an excess in the estimates of 1821 above those of 1817 of 401,987*l.*

It was under these circumstances, that, on the 12th of March in the last session, the question being, that the House resolve itself into a Committee of Supply, upon the army estimates, the member for Montrose, Mr. Hume, made the first of that series of motions upon the subject of our public expenditure, which he supported throughout the session with such distinguished ability, knowledge, industry, and perseverance; and which eventually produced those reductions, which at this moment are carrying into execution. It was upon the day in question, that Mr. Hume moved as a resolution, previous to the Speaker

leaving the chair, "that in the year 1821 there
 " was a larger disposable force, by 132,367 men,
 " available for purposes of government, than in
 " 1792; and that the supplies voted for the ex-
 " penses of the military establishment in 1792
 " were 2,331,149*l.* and those for the year 1821
 " were 9,500,216*l.*; and that it was the opinion
 " of the House, under the present situation of
 " the country, it was expedient to adopt mea-
 " sures to effect a large reduction in the numbers
 " and expenditure of its military establishments;
 " *and to approximate as near as possible to the*
 " *establishments of 1792, as recommended by the*
 " *Finance Committee of 1817.*"

The sincerity of the Finance Committee was thus brought at once to a test; their Report had been made four years without any approximation to that scale of expenditure, which they themselves had recommended; the difficulties of the country were greatly increased; a return to a metallic currency had been recently effected, and the facility greatly augmented thereby of approximating the scale of expenditure of 1792. Mr. Hume's motion therefore was only to ask the House, under these circumstances, to adopt that opinion which had been voluntarily advanced by the Finance Committee in 1817. Reasonable however, and indeed unanswerable as this pro-

position was, it was defeated by a majority of 24, the numbers being 98 to 74; and from that day, the Finance Committee of 1817, or much the greatest portion of its members, were the most constant and active opposers of every reduction whatsoever, that was proposed in the course of the session.

In any other place but the House of Commons, a committee of gentlemen, who had undertaken the trust of examining the expenditure of all the establishments of the country, with the avowed object of "*relieving the burdens and supporting the credit of the nation,*" and who had given a grave and deliberate opinion as to the means by which they conceived this great work might be accomplished,—such a committee would be considered in a somewhat perplexing dilemma, if they were found all at once to be the foremost in defeating, by every means in their power, the very same project which they themselves had suggested. They would feel themselves, at all events, bound to satisfy the nation, that accidents, or alterations of one species or another, had interfered with or defeated their reasonings and conclusions; and, above all, they would be intent upon proving to the country, that they had not been trifling with public feelings and expectations upon sub-

jects of such grave and vital importance. But the conduct of the House of Commons is an exception to all rules which prevail amongst ordinary men.

This preliminary motion of Mr. Hume having failed, the Finance Committee having refused to act upon or even to recognise their own report, the only course left for Mr. Hume, and those who supported him, was the exercise of that inquisitorial control over the public money so wisely vested in the House of Commons, and which enables any of its members to bring into public view, and to a direct vote, every single article of the public expenditure, as it is presented in succession for the necessary supply. It was in this regular and parliamentary course, that, for a period of nearly four months together, attempts were made, day after day, and night after night, by Mr. Hume and other members, but principally by Mr. Hume, to effect a reduction in every branch of the public expenditure, and in almost every article of such branch, in strict conformity to the recommendation of the Committee of Finance in 1817. On every one of these occasions, however, the members of the Finance Committee were always too powerful. Lord Castlereagh, who named that Committee, and Mr. Huskisson, who drew its Report, were the constant and active opposers of every reduction

that was proposed; and it is unnecessary to add, that a majority of the House of Commons uniformly adopted their objections.

But the House of Commons was not content with merely rejecting these obvious and irresistible demands of Mr. Hume and his supporters; the very attempt at saving public money was treated as a subject of merriment by the representatives of the people. The speeches of Lord Palmerston and Mr. Robert Ward upon the respective subjects of the army and the ordnance estimates, and the applause they met with, are striking illustrations of this fact; upon more than one of these occasions Mr. Brogden himself, the Chairmain of the Ways and Means, could not resist being playful; and Lord Castlereagh, who preserved his vivacity to the last, on the very night even of his own defeat, indulged himself in attempting a portrait of Mr. Hume in the double characters of Harlequin and the Clown Grimaldi.

Entertaining, however, as this ridicule of all economy appears to have been to the House of Commons, and to the Committee of Finance of 1817 in particular, a very few weeks of the session had not passed away, before the most beneficial consequences of Mr. Hume's labours were distinctly recognised, both within and without the walls of parliament. He had displayed,

during this period, a knowledge in detail of every branch of our public expenditure, so extensive and so accurate, as to have no parallel within any one's experience; and to this knowledge were added industry and perseverance equally unrivalled. The inquisitorial system, so happily revived and persisted in, of examining into and pressing to division all subjects of expenditure in detail, presented a new, familiar, and intelligible view to the people of England of the manner in which their property was disposed of. The mysteries and obscurities of official statements, official reports, and Finance Committees, were all at an end; every man in England was now placed in a situation to judge for himself. Here was an inexperienced, unofficial man, who went over the whole expenditure of the country, article by article, item by item, who proved himself to know more than all the official men put together, and who satisfied every reasonable and disinterested man in the country, that no reduction was asked for which was not as consistent with the safety of the empire as it was due to the sufferings of the people. Even within the House of Commons itself, the effect of Mr. Hume's exertions was manifest; a language became prevalent in the ranks of ministerial voters, which, to those who know the House of Commons, was quite conclu-

sive:—"We shall never see such estimates
 "another year." "Mr. Hume is a very useful
 "man." "The country is much indebted to
 "Mr. Hume."—No observer of these changes
 in the manners of the House of Commons but
 was perfectly convinced, that the estimates
 for the different public services could not long
 be continued upon their then enormous scale.
 The only questions were, the time at which the
 ministers would begin to reduce, and the ex-
 tent of such reductions. Other events, how-
 ever, occurred during the session, which brought
 this matter of reduction to an issue much
 sooner than might have been expected, and
 which made the triumph of Mr. Hume and
 those who supported him perfectly complete.
 The pressure upon the general agricultural in-
 terests of the country had, previously to the
 meeting of parliament, become so excessive, and
 with such certain prospects of growing more so,
 that, in a very short time after the House of
 Commons had assembled, Mr. Gooch, the mem-
 ber for Suffolk, put a question publicly to Lord
 Castlereagh, as minister of the Crown, the pur-
 port of which was, to know whether any and
 what relief was intended by the government to
 the landed interest. Upon this application Lord
 Castlereagh offered the usual government relief,
 the same which had been given to the nation in

1817, a *Select Committee to be named by himself.*

It was certainly a whimsical thing to see Mr. Gooch become himself the dupe of the same device, which had been practised upon the nation in 1817, by that Committee of Finance of which he was a member ; his own personal experience might have convinced him, that to withdraw these great agricultural grievances, together with their causes, from public discussion, and to get over the session without doing any thing upon this important subject, was the only object of the government in granting this committee. Mr. Gooch, however, and his unsuspecting brethren of the landed interest, appear to have formed the greatest expectations from this committee, till an event took place, which left no doubt of the quantum of relief they were to expect from it. Mr. Western, the member for Essex, had in the course of the session moved for, and obtained leave to bring in a bill to repeal the new and heavy tax upon malt, which had, with equal humanity and wisdom, been imposed upon that article in the year 1819, at the very moment of the change in the currency ; but he had no sooner done so, than the whole strength of government was put in array to defeat this projected benefit to the landed interest. The majority which

Mr. Western had obtained, in favour of his motion, was attributed by Lord Castlereagh purely to accident; in the just confidence in his own strength, he admonished gentlemen “*not to halloo before they were out of the wood.*” Ministerial voters, official, household, and of all descriptions were summoned from every corner of the kingdom; a separate treaty was entered into between the government and the Scotch county members, and which, by giving certain advantages to Scotland, separated its landed representatives from those of England; and thus matters being all satisfactorily arranged, the second reading of Mr. Western’s bill for repealing the tax upon malt was, on the 3d of April, defeated by a majority of 98, the numbers being 242 to 144; although the first reading of the same Bill had been carried by a majority of 24, the numbers then being 149 to 125. From this period there was an evident alteration in the minds and in the conduct of those country gentlemen in the House of Commons, who, up to this time, had uniformly supported every measure of the government. Mr. Gooch and his friends began to discover, for the first time, that by one of the measures of that government, and which they themselves had supported, *viz.* the sudden and unqualified return to a metallic currency, they were de-

prived all at once of a considerable portion of their rents, with a certain prospect of still farther reduction; and that, in truth, such a revolution had been effected in the value of their property by this measure as to leave them nothing certain, but their debts and incumbrances. In circumstances such as these, it was no great matter of surprise, that on the 15th of June, when Mr. Curwen moved for leave to bring in a bill to repeal the agricultural horse tax, Mr. Gooch should have selected that occasion for those strong expressions of mortification and disappointment which then were used by him. He said, "he thought himself bound to state, that the Agricultural Committee had instructed him as their chairman to move in the House for the repeal of the agricultural horse tax (*hear*). In the meantime, however, they had changed their opinions, and at their request he had suspended his motion; he certainly did conceive Mr. Curwen had not been fairly used by that committee, and so his own vote that night would show; notwithstanding that his general opinion of his Majesty's ministers and their measures remained unchanged (*cheers*). He was free to say, there was no chance of giving any effectual relief to the agriculturists this session (*hear*). *If the country could not raise*

“ *its means to its expenditure, it must reduce*
 “ *its expenditure to its means.* He thought this
 “ one of the most objectionable taxes that could
 “ have been imposed, and he hoped the right
 “ honourable gentleman, the chancellor of the
 “ exchequer, would look at it as *a great national*
 “ *question.* Some gentlemen remarked, that the
 “ *amount of this tax was not very considerable :*
 “ *on reducing these taxes, it was obvious they*
 “ *must begin by degrees, and obtain what they*
 “ *could.* It was a coarse but just expression,
 “ *that you can't have more of a cat than her*
 “ *skin.* Here he must observe, that much as
 “ he differed in opinion and politics from the
 “ member for Aberdeen, Mr. Hume, he thought
 “ he had, by his indefatigable industry and
 “ valuable exertions, done great service to the
 “ country. He did not say this from any wish
 “ for popularity; he owed it to his constituents
 “ to say this, knowing it to be their sentiment,
 “ and he could not return to them without hav-
 “ ing said it. He begged to second the motion
 “ of the member for Cumberland.”

The advantages resulting from this speech of
 Mr. Gooch were so invaluable, that it is not
 quite right, perhaps, to cavil at the partial or
 selfish principles on which it was made. At
 the same time it must be admitted, that these just
 observations ought not to have been withheld

till the landed interest had become involved in the same difficulties and distresses, which had so long and so severely oppressed other classes of their fellow subjects. There was a great variety of taxes much more worthy of being considered "*great national questions*" than the agricultural horse tax, and if reductions in our expenditure were not only essentially necessary, but practicable, at the time Mr. Gooch made these observations, they had not been less so for many years before : this speech, therefore, came unfortunately somewhat late, but still it was invaluable. Mr. Gooch may justly be reckoned an authority on this occasion : he knew what a Committee of Finance could do in the way of reduction ; and he knew what an Agricultural Committee could do—for he had been a member of both ; but when he himself became pressed by the common difficulties of his fellow subjects, he abandoned those old and useless connections to recognize Mr. Hume as the real benefactor to his country. The latter part of Mr. Gooch's speech too is of no small importance. We learn from him, that the freeholders of Suffolk had been attentive observers of what was passing in parliament ; that they too had come to the same conclusion with their representative, that Mr. Hume's labours in parliament afforded the only prospect of relief to their distresses ; and that so strongly

was this conviction impressed upon their minds, that he, Mr. Gooch, could not return to his constituents without offering this their homage and his own to Mr. Hume.

Mr. Gooch's speech was followed by an excellent one from Mr. Walter Burrell, the member for Sussex, and quite in the same spirit, and with the same approbation of Mr. Hume. This was reinforced again by others from other country gentlemen, general supporters of the government, but who, on this occasion, all agreed with Mr. Gooch as to the indispensable necessity of great reductions. When the division upon Mr. Curwen's motion took place, the consequence of this defection in the government country gentlemen was sufficiently apparent, such motion being carried, on the 14th of June, against the ministers by a majority of 28, the numbers being 141 to 113; and, upon the second reading of this bill, Lord Castlereagh, on the part of the government, said, "he should give no farther opposition to it: that he *considered the question as a matter of sympathy, and he hoped the country would accept with pleasure the boon which had been conceded from a sort of warmth of feeling perhaps, rather than a deep consideration of the subject.*"

Was such language as this ever before heard in an English House of Commons? Let us,

however, be duly grateful for these benevolent dispositions in a minister of the Crown, who has been betrayed by his feelings, in opposition to his judgment, into *conceding* to the people that relief, which, according to the division, he had no longer the power to withhold—from a tax, which, according to Mr. Gooch, they were no longer able to pay; and let us hope, that other classes of our fellow-subjects, who are affected by taxes much more personally oppressive, and much more injurious to the general interests of the state than the agricultural horse tax, may be equally successful in their appeal for mercy to the *sympathy* of the ministers of the Crown.

If any person doubted the effect Mr. Hume's labours would produce in lowering future estimates before this motion of Mr. Curwen, it was impossible that after the motion any such doubt could remain. As the session, however, was now drawing near to its conclusion, it was thought advisable not to let parliament separate without calling at once for some distinct pledge upon the subject from the House of Commons; and accordingly, upon the 27th of June, Mr. Hume moved, "That an humble address be presented
 " to his Majesty, humbly to request, that, with
 " a view of affording relief to the country from
 " a part of its burthens, he will be graciously

“ pleased to direct, that a minute investigation
 “ be instituted into the mode and expense of
 “ the management and collection of the several
 “ branches of the revenue; that a careful revision
 “ be made of all salaries and allowances,
 “ especially of those which have been increased
 “ since 1797, in order that they may be adjusted
 “ with reference to the increased value of
 “ the currency, and to the distressed circumstances
 “ of the country; that a vigilant superintendence
 “ be exercised over the expenditure of the country
 “ in all its departments, in order that every
 “ reduction may be made therein, which can be
 “ effected without detriment to the public interest,
 “ and in particular in the number of the army,
 “ and the expense of its establishments.”

The defeat of the government was publicly proclaimed by the amendment, which was moved by Mr. Bankes, upon this motion of Mr. Hume. The amendment was, “ to assure his Majesty,
 “ that we have regarded with satisfaction the measures
 “ which have been taken by his Majesty’s commands
 “ for a general revision of the department of the
 “ *customs* in Great Britain; and to intreat his
 “ Majesty to give directions, that a similar investigation
 “ may be extended to all the other branches of the
 “ revenue, in order to render its collection more economical,

“ and its management more efficient: that, for
 “ the purpose of affording a further relief to the
 “ country, his Majesty will be pleased to order
 “ a minute inquiry into the several departments
 “ of the civil government, with a view to re-
 “ ducing the number of persons employed in
 “ those departments, which, from the great in-
 “ crease of business, were augmented during the
 “ late war, as with reference to the increased
 “ salaries granted to individuals since 1797,
 “ either in consideration of the additional labour
 “ thrown upon them during that period, or of
 “ the diminished value of money. And further,
 “ that his Majesty will be graciously pleased to
 “ direct, that every possible saving, which can
 “ be made without detriment to the public in-
 “ terest, shall be effected in those more extended
 “ establishments, which the country is obliged
 “ to maintain for the safety and defence of the
 “ United Kingdom and its dependencies; and
 “ more especially in the military expenditure,
 “ by a reduction in the numbers of the army,
 “ and by a constant and vigilant superintend-
 “ ence over that and all the other departments
 “ connected with the application of the ample
 “ supplies granted by this House.” The amend-
 ment was seconded by *Mr. Gooch*.

This closing scene of the session was in every
 way worthy all that had preceded it, and to

be the concluding act of the reign of the Committee of Finance of 1817. With the single exception of the introductory gratuitous piece of flattery to the government about a treasury commission for regulating custom-house fees, and with which the House of Commons had nothing then to do, Mr. Bankes's amendment was Mr. Hume's motion, sentence for sentence, subject for subject; in words, indeed, rather stronger and more definite; but the dignity of the government, of the Finance Committee, and of the House itself, could not submit to take this motion from Mr. Hume himself; it must come from Mr. Bankes; it must come, forsooth, from the Finance Committee. So here the same farce was repeated that had been performed before in 1817; and by the very same actors, though the parts were differently cast. In 1817, Lord Castlereagh exhorted Mr. Bankes (among the other gentlemen of his Finance Committee) to summon all the *firmness* he was master of, to sift and probe every public grievance to the bottom; to make every possible reduction in the public expenditure; to abolish every useless office; and to restore his country to that state, which should enable it to cope with any new difficulty that might arise. Mr. Bankes is now produced as changing characters with Lord Castlereagh;

and he gives him back the precise advice which he received from him in 1817. Be it always remembered, that this was the occasion on which Lord Castlereagh compared Mr. Hume to both Harlequin and the Clown Grimaldi!

However satisfied the *House of Commons* might be in adopting Mr. Banks as the only true and genuine economical reformer, this gentleman (in common with the other members of the Finance Committee) stood in a very different point of view before the *people of England*: instead of offering his counsel and advice upon this important subject, he himself was placed upon his trial; he proclaimed, by this amendment, his own belief, that great reductions may be made in the public expenditure of the country; and he knew, that, if such was the case now, it must have been so for many years before: he himself undertook this very trust of making such reductions four years ago, since which; all he has done has been to provide for all ministers and other servants of the Crown, by perpetual pensions from the pockets of the people. Why was it left to Mr. Hume to propose carrying his (Mr. Banks's) own report into execution? and why did he not support this proposition when it was made by Mr. Hume? By this abandonment, or violation of his trust, the nation has

lost many millions of money ; and yet, when the labours of Mr. Hume and public opinion have at last forced the government into making these reductions, Mr. Bankes presents himself before The public as a rival candidate with Mr. Hume in the character of an economical reformer. The *people of England* will have little difficulty in disposing of the claims of Mr. Bankes to be their guide under such circumstances as these, although *the House of Commons* decided, by a majority of 80, the numbers being 174 to 94, that such claims were just ones !

With this motion of Mr. Hume, and amendment of Mr. Bankes, the session of parliament may be said, in truth, to have ended ; and if Mr. Bankes and Mr. Gooch, and the Finance Committee of 1817, and the ministers of the Crown, and the majority of the House of Commons, are satisfied with the reputation they have acquired as economical reformers, the nation has not less reason to be gratified in its turn ; they know that some economical reform has at last been begun ; they know very well the means by which this beginning has been effected ; and, what is more, they know full well it cannot stop.

This session of parliament appears to afford a most important and instructive conclusion, *viz.* that a limited minority of members of the

House of Commons, when they have a cause to maintain, which is as irresistible in reason as it is in justice, who avail themselves of the invaluable forms of parliament, and who are supported by the sound and intelligent public opinion of the kingdom, will eventually succeed, even in a modern House of Commons itself. What greater encouragement can there be than this, to all who love their country and its constitution, whether they be in or out of parliament; or what greater inducement to them to unite and persevere in the same judicious course so happily begun! There are other and most obvious public grievances, beside the wanton expenditure of the people's money, and which will necessarily call for the attention of parliament and the public in the approaching session.

The repeal of the ministerial pension bill naturally presents itself as the first object to be accomplished. It is the more necessary to begin with it immediately, because some of the "*high and efficient public men*," who are entitled to pensions under it, have nearly *served their time out*. It is unnecessary to enter here, again, into the various demerits of this disgraceful bill. It must be brought into public discussion again and again, upon every question in which *supply* is involved; and, eventually, it is impos-

sible that a law, so degrading to the higher orders of the community, so at variance with the principles and practice of the constitution, and so offensive and insulting to the people of England, should be permitted any longer to remain upon the statute book. The first and most obvious step to be taken on this subject will be to call for a return of all money saved to the public by the abolition of sinecure offices in 1817; because, upon this pretence only, monstrous as it is, the pension bill was founded.

There is another great and national grievance, which calls for the immediate attention of parliament and the public, and which was exhibited to the view of the nation last session in all its deformity, *viz.* the number of placemen now sitting as members in the House of Commons. In the course of the last session, thirty, and forty, and fifty of these placemen were to be found in every division, voting against every motion in favour of economy and reduction, and in very many instances such motions were absolutely defeated by their own votes alone. Mr. Henry Grey Bennet, the member for Shrewsbury, moved for leave, in the course of the session, to bring in a bill to limit the number of placemen in the House of Commons, and the proposition was received by the government as

the same wild kind of novelty with Mr. Hume's experiment to save public money ; as if there had never been a place bill before ; as if it had not actually formed a part of that act of settlement under which our present royal family hold the Crown.

The grounds upon which our "*high and efficient public men*" contend for the necessity of sixty or seventy placemen in parliament are twofold ; first, they say, the government could not be carried on without them ; or, in other words, that the people could not be plundered to the extent they are without them — and *that* is certainly true. But though a just view of the subject, it is not a new one ; it is precisely the same argument which we find in the correspondence between the ministers of Charles II and James II and Monsieur Barrillon, the minister of Louis XIV, and, indeed, between those monarchs themselves. We all know now, that Charles II and James II were regular pensioners, and to an enormous amount, to Louis XIV, and the grounds upon which such pensions were so disgracefully sued for, we always find to be, that the English government could not be carried on without them. When, however, this supply from the French king was cut off at the revolution, the public men of those times took into their serious consideration the

expediency of abolishing the other mode of carrying on the government by the means of placemen in the House of Commons. Every person knows, that, by the act of settlement, it was enacted, that no person, who held an office at the pleasure of the Crown, was to be capable of sitting and voting in the House of Commons; but it must be admitted, that great difficulties were opposed to this proceeding. The succession to the throne of the House of Brunswick was at stake; the rival claimants of the Crown were of nearly equal strength; and it was undoubtedly giving the exiled family a great advantage over the one adopted by the nation to deprive the government, all at once, of every part of that power or influence from placemen, which it then possessed in the House of Commons. It was to these circumstances and difficulties, belonging so peculiarly to those times, that we owe that modification of the act of settlement (as far as it was a place bill), which is to be found in the statute of the sixth of Queen Anne. Still, however, the act of Queen Anne is a place bill, the same in principle as the act of settlement, and limited only in its application, by the precarious situation of the monarchy at that period. There have been different place bills since the passing of that act, and the *direct* influence of the Crown has been

occasionally diminished, as well by such means as by the abolition of certain offices usually held by members of the House of Commons; but in some instances these abolished offices have been again restored, as the third secretary of state, and president of the board of trade; and, in other instances, new places have been created in direct violation of the act of Queen Anne, as the India board and others. But it is the *indirect* influence of the Crown in the House of Commons, which now bears down every thing before it. The unions with Scotland and Ireland have in themselves altered the very face and nature of the House of Commons. Then the enormous debt, which has been created within the last thirty years, with the endless patronage arising from the collection of the revenues to pay it; the vast and almost unbounded increase of our colonial possessions, during the same period, with all the establishments of every species belonging to them;—these are the united circumstances, that have given the Crown an *indirect* influence in the House of Commons, which, as Mr. Wilberforce observed, “meets every man everywhere;” and which can only be met or withstood on behalf of the people and the constitution by a new place bill, to reduce and limit the *direct* influence of the Crown by placemen.

The second ground, upon which our “*high and efficient public men*” resist the introduction of a place bill, is the great utility of the different public boards; such as those of the Treasury, Admiralty, Ordnance, and India, as *nurseries* for the education of our rising young statesmen. The experience of the last session, it is presumed, has set this objection in its proper point of view. The different boards, above referred to, were never before filled with persons more matured by age and official experience, and yet these confederated nurseries had nothing to produce against Mr. Hume and his statements—except their votes.

This preparatory education for our “*high and efficient public men*” is as expensive as it is useless; and the question is, whether the nation will continue to make provision for places, which are so clearly proved to be the ordinary and established prices for so many ministerial votes, and for nothing else. It seems impossible this monstrous grievance should exist much longer. Mr. Bennet has given notice of renewing his motion for a place bill the approaching session; but it ought to be preceded by repeated discussions in detail, and in questions upon supply. Publicity and exposure, and the invaluable forms of parliament, are the great if not the only means by which any substantial

good is effected in the House of Commons. Those regulations and reductions in the offices of the receiver general of taxes, which were recommended by a committee last session, are striking illustrations of this fact: these are the very offices, which ought to have been regulated and reduced by the Finance Committee of 1817, if economy or reform had formed any part of their object; but not having been so, they were brought separately and repeatedly under the view of parliament and the public by Mr. Hume; and a Committee, which, fortunately for the country, included in its number several *visionary* men in addition to Mr. Hume, has, during the last session, finally disposed of this intolerable grievance. The report of that Committee discloses to the country the manner in which *independent* members of parliament, by themselves or their families, can live upon the collection of the taxes; and with this exposure, so made in the face of the country, the government have been compelled to give a public assurance, that the recommendation of that Committee should be immediately complied with. It was a very useful lesson in the last session of parliament to see Lord Milton, as representative of the great county of York, asking Mr. Becket, as judge advocate general, what service it was he rendered to the state, what labour it was which

he performed, that entitled him to that sum of 2500*l.*, which was annually received by him out of the pockets of the people? It should seem, that this mode of proceeding was by no means agreeable to Mr. Becket; for at the close of the session he withdrew from the House of Commons. This, however, is the only, or at all events the best, mode of proceeding with all members of the House of Commons, who either receive public money for doing nothing, or who are greatly overpaid for what they do. As a corporation, the House of Commons has a very courageous contempt of public opinion; taken as individuals, they have the feelings of other men. Most, or at least many of the placemen in the House of Commons, come regularly for their salaries before parliament, in some or other of the estimates of the year; and these are the occasions on which their claims ought to be discussed and resisted. For such as do not come thus regularly in the estimates, the old established practice of discussing them as grievances, upon every question of supply, appears to be the best. It is instructive to take a precedent of this kind from so grave, so great, and so experienced an authority as Sir Edward Coke, a lord chief justice of the King's Bench, that had been, and who was then, as he is now, the oracle of his country, in every thing which relates to its

laws or constitution. Upon the chancellor of the exchequer moving for a supply,

Sir Edward Coke, in answer to such motion, said, “ that there was a leak in the government, “ of which such as these were the causes :— “ frauds on the customs ; *new invented offices,* “ *with large fees ; old unprofitable offices, which* “ *the King might justly take away, with law,* “ *love of his people, and his own honour ; multi-* “ *plicity of offices in one man ; every officer* “ *to live on his own office ; the King’s household* “ *out of order ; new tables kept there made the* “ *leakage the greater ; upstart officers ; volun-* “ *tary annuities or pensions, which ought to be* “ *stopt till the King was out of debt, and able* “ *to pay them ; and, lastly, that all unneces-* “ *sary charges, costly diet, apparel, buildings,* “ *increase still the leakage.*” To apply some means for remedy, he concluded by *moving* “ *for a committee for putting down these and* “ *such other heads as shall be offered.*” This mode of proceeding by Sir Edward Coke, which was the daily and established practice of his times upon every question of *supply*, is the only effective one to be resorted to in our own.

The latitude which Sir Edward Coke thus justly allowed himself, of going into every grievance affecting the expenditure and government of the country, when a supply was asked for,

presents a very natural occasion for adverting to an opinion, which was more than once advanced last year in parliament, *viz.* that the detailed discussions of the estimates of the year were novel and unconstitutional, and an improper interference with or assumption of the duties of the executive government. It is difficult to imagine how such a sentiment as this could have ever found its way into an English House of Commons. For what purposes, for what objects were the invaluable forms of parliament created? Why is the public purse surrounded by so many parliamentary guards or checks; by motions for entertaining the question of supply at all; for going into committees upon that subject; for providing for every article in Committees of Supply by separate and distinct questions and votes; for reviewing and re-considering all such votes, upon every report from such Committees of Supply? What is all this multiplied and invaluable machinery made for, but to be used in defence of the property and liberties of the people?

It is not only in the speech of Sir Edward Coke, above referred to, but we find, on all occasions, every, the minutest, expenses of the King's government, whether relating to the public establishments or the King's household, regularly subjected to the inquisitorial power of

the House of Commons. Lord Bacon, in his letters to King James, upon the subject of re-forming the royal household, and in which he enters into the minutest particulars, expresses his anxiety, that the retranchments to be effected may be *agreeable to parliament*. And surely, if Sir Edward Coke and Lord Bacon could recognise, as just, and right, and constitutional, this inquisitorial power of parliament over the public expenditure, there is no such divinity in our present "*high and efficient public men*," as to induce parliament to abandon it out of compliment to them. It is the more necessary to notice this erroneous and dangerous opinion, because it was received, as well it might, with great applause by the government. It leads at once to that modern and monstrous doctrine, set up and acted upon both by ministers and the House of Commons, that every question in parliament resolves itself into a matter of mere personal confidence in the ministers of the Crown; that the House of Commons has nothing to do but signify its opinion as to which of our public men it chooses most to confide in (whether they are all the highest or the lowest in talent and character is a matter of indifference); and this choice once made, the nation itself is to go for nothing; the money of the people is to be abandoned to the discretion of the ministers, and the forms of parliament, and even the laws of the land, are to be

equally suspended out of compliment to him. This alarming creed is so clearly laid down by Mr. Bankes, in the speech which he delivered in the last session, that it is highly important to insert it in this place. The occasion was the Marquis of Tavistock's motion relating to her late Majesty the Queen; and the motion itself was, "That it appears to this House, that his Majesty's ministers, in advising the measures which had led to the late proceedings against the Queen, were not justified by any political expediency or necessity; and that their conduct, throughout the whole of those proceedings, had been productive of consequences derogatory from the honour of the Crown, and injurious to the best interests of the country." Upon which Mr. Bankes made the following observations; "*that he had hitherto avoided taking a part in these unfortunate discussions; he had viewed them with disgust, and almost with shame. When he recollected the embarrassments of the country, the burthens it had to sustain, the extent of the agricultural distresses, coupled with a glance at the pending proceedings in the south of Europe, he could not help saying, that it was matter of vexation, and almost of shame, to think that this wise and understanding people should be dragged into these discussions, to the neglect of others of higher and more lasting*

“ importance. But as he observed it was avowed
 “ by ministers, it would be impossible for the
 “ ministers of the Crown to remain in office, if
 “ such a STIGMA was cast upon them; therefore
 “ he should vote AGAINST the motion.” Nothing
 can be said in addition to this speech: we
 have Mr. Bankes’s own avowal, that he sa-
 crificed, by his vote, the interests of “ a wise
 “ and understanding people,” rather than fix a
 STIGMA upon a minister of the Crown, whose
 conduct had been viewed by him with feelings
 of “ shame,” “ vexation,” and “ disgust,” and
 this sentiment was adopted by a great majority
 of the House of Commons. Happily for the
 nation, the hereditary peers of England were
 influenced by much nobler and juster views than
 those of Mr. Bankes, when the memorable
 Bill of Pains and Penalties against her late Ma-
 jesty the Queen was submitted to their consider-
 ation. They would not allow their decision to
 be controlled by any personal or political confi-
 dence in the authors of the measure. A majority
 of the hereditary peers of England, including in
 its ranks peers who were in constant political
 opposition to each other, peers who were con-
 nected by personal favours and by personal ser-
 vices with the Court—this majority saw, that the
 monarchy and the monarch were alike exposed
 to danger by this bill—that the laws and the
 constitution, public morals and public decency,
 were all at stake—and, to their eternal honour,

they thought it their duty to unite, and to preserve to their country these invaluable blessings.

Since the termination of the last session of parliament, the illustrious object of the Bill of Pains and Penalties is dead; hunted to death by every species of persecution which malignity could invent; and her body, after death, and in its progress to her native country, has become the subject of a battle in the streets of London, accompanied with blood and the loss of lives, between the people of England and the government of the country, armed with all the civil and military authorities of the state. The generous compassion of the nation over sufferings so unheard of, and which only sought this last and sad occasion for its expression, appears as yet the only assignable reason for these vindictive feelings on the part of the government. When, however, this mysterious and disgraceful tragedy shall be unfolded to parliament, we shall see what will be said of it by the representatives of the people, whether the same venomous ribaldry, which assailed this illustrious lady when living, is to disturb her grave; and whether the lives of the people are to be sacrificed with impunity, rather than a *stigma* be fixed upon a minister of the Crown.

As different specimens of the speeches and the principles of our *present* public men have been given in the course of these remarks, it may be useful and instructive to conclude them, by way

of contrast, with a few more samples from Sir Edward Coke.

The period at which Sir Edward Coke made these speeches, is, perhaps, in every respect the most distinguished in the parliamentary history of England. If the constitution was not formed or created by the *Petition of Right*, it was at all events defined and fixed by it; and this parliamentary record remains our safest landmark to this day. *This* was indeed that “*animated and determined contest*” to which we owe whatever “*wisdom, liberty, and happiness*” we enjoy; not a contest for office, emolument, or *pensions*; but a contest for the laws and liberties of Englishmen, against the profligacy of judges and the arbitrary acts of the ministers of the Crown; and it was to the extraordinary talents and learning, the great authority of their characters, the undaunted courage and perseverance of Sir Edward Coke, Mr. Selden, and the other great men of that parliament, that the nation owed this victory.

When the judges of those times, in base compliance with the wishes of the Court, and in violation alike of their duty and the laws, committed the subject to prison, and kept him there, without any cause shewn for his commitment, the following reference to this practice is made by Sir Edward Coke *in a Committee of Supply*, and as a grievance which was to be redressed before any supply was granted:—“The draught
“of this judgment will sting us—*quia nulla*

“ *causa fuit ostenta*—being committed by the
 “ command of the King, and therefore he can-
 “ not be bailed. What is this, but to declare
 “ upon record, that any subject, committed by
 “ such absolute command, may be detained in
 “ prison for ever? And what doth this tend to,
 “ but the utter subversion of the choice liberty
 “ and right belonging to every freeborn subject
 “ of this kingdom? I fear were it not for this
 “ parliament, which followed so close after that
 “ judgment, there would have been hard putting
 “ to have it entered. *But a parliament brings*
 “ *judges, officers, and all men in good order* *.”

What language is this? and to be used too by this great and learned authority, a Lord Chief Justice of the King's Bench, that had been! Nor was this an empty threat, for the judges *were* brought before the House of Lords, to answer for their judgment. What a contrast to the times we live in!

It is the *minister of the Crown* who now keeps parliament itself, and all men in good order; and what is more, he does so by the very means which were designed, and formerly were used to keep himself in order; viz. by *supply*.

Supplies now raised upon the people are so immense in their amount, and the patronage acquired by the Crown from the distribution and collection of them so enormous, that these

* This and the following speeches of Sir Edward Coke are taken from Rushworth's Collections; the former one was from the Parliamentary History.

united circumstances have produced an entire revolution in the character and conduct of a modern House of Commons. Instead of considering supplies, as they were meant to be by the Constitution, and as they were used by Sir Edward Coke, as the parliamentary protection of the laws, liberties, and properties of the subject, and as only to be granted so long as those great objects were secure—a modern House of Commons is occupied in converting the supplies to their own personal benefit, in obtaining provisions for themselves, their families, or political connections, by means of those endless offices and situations, which are paid for and supported by such vast grants. With these dispositions in a House of Commons, and such resources in the hands of a minister of the Crown, it is not surprising that all control over supply is abandoned, or that a minister can now “*keep parliament itself, and all men in good order.*”

If any proof were wanting of the abject state of submission of a modern House of Commons to a minister of the Crown, it is to be found in the treatment which the former body received (and never resented) at the close of the session in 1820.

The House had been kept sitting by different adjournments, for a period far exceeding its usual time, and to the great inconvenience of its members, merely to be ready for the minister's Bill of Pains and Penalties against the Queen, in the event of his being able to carry it through

the other house of parliament. It was the first year of his present Majesty's reign; the nation, by its representatives, had granted him a greater and more munificent establishment for his life, than had ever been given to any king of England before. There had never been an instance of a king, under such circumstances, permitting the parliament to separate without making his acknowledgments to them and to the nation, for the proofs of liberality and attachment which he had thus received at their hands. But the minister had taken offence that his Bill of Pains and Penalties had been defeated by the peers, and that the nation from one end of it to the other was triumphing over the defeat; and it was therefore *his* will and pleasure, that upon the prorogation of the parliament, not a word should be uttered within its walls upon this mortifying subject. The established intercourse between the sovereign and the nation, by a speech from the throne, at the close of each session, was a matter of perfect indifference to his minister—the king, the parliament, and the nation, were all treated by him with the same impartial disregard; to dismiss the House of Commons, without affording them the means of utterance against the minister, was the only object to be accomplished; and, by a previous arrangement with the usher of the black rod, this dignified operation was performed in a single minute.

It is just one hundred and fifty years since the House of Commons was treated precisely in the same manner, by that ministry of Charles the Second, which was called the Cabal. But let us turn again to the times of Sir Edward Coke. When the petition of right was in agitation, the minister of the Crown brought a message to the House of Commons from the king, stating, that if the Commons would grant him a supply, "his majesty would in future govern by the laws, and that the laws should be so executed, that the nation should enjoy as much freedom as ever, &c. &c." Upon which the House was turned into a committee, and Sir Edward Coke spoke thus: "Was it ever known, that general words were a sufficient satisfaction to a particular grievance? Was ever a verbal declaration of the king? *Verbum Regni!* When grievances be, the parliament is to redress them. Did ever parliament rely on messages? They sent up petitions of their grievances, and the king ever answered them. The king's answer is very gracious; but what is the law of the realm? That is the question. I put no diffidence in his majesty; but the king must speak by a record, and in particular, and not in general. Did you ever know a king's message come into a bill of subsidies? All succeeding kings will say, Ye must trust me as well as ye did my predecessors, and trust my messages: but mes-

“sages of love never come into a parliament.
 “Let us put up a *petition of RIGHT*; not that
 “I distrust the king, but that I cannot take his
 “trust but in a parliamentary way.”

Again, when the petition of right was agreed upon by the commons, and delivered to the lords, at a conference which was managed by Sir Edward Coke, he delivered himself thus:
 “My lords, it is evident what necessity there is,
 “both in respect of yourselves and your posterity, to have good success in this business.
 “We have acquainted your lordships with the
 “reasons and arguments; and after we have
 “had some conference, we have received from
 “your lordships propositions; and it behoves
 “me to give your lordships some reasons, why
 “you have not heard from us before now: for,
 “in the mean time, as we were consulting of
 “this weighty business, we have received divers
 “messages from our great sovereign the King,
 “and they consisted of five parts:—1. That
 “his Majesty would maintain all his subjects
 “in their just freedom, both of their estates
 “and persons. 2. That he will govern according to his laws and statutes. 3. That
 “we should find much comfort in his royal
 “word: I pray observe that. 4. That we shall
 “enjoy all our rights and liberties, with as
 “much freedom as ever any subjects have done
 “in former times. 5. That whether we shall
 “think it fit, either by bill, or otherwise, to go

“ on in this great business, his Majesty would
 “ be pleased to give way to it. These gracious
 “ messages did so work upon our affections,
 “ that we have taken them into deep considera-
 “ tion. My lords, when we had these messages
 “ (I deal plainly, for so I am commanded by the
 “ House of Commons), we did consider what
 “ way we might go for our more secure way,
 “ nay yours; we did think it the safest way
 “ to go in a parliamentary course; *for we have*
 “ *a maxim in the House of Commons, and*
 “ *written on the walls of our house, that old*
 “ *ways are the safest and surest ways*; and at
 “ last we did fall upon that, which we did
 “ think (if that your lordships did consent with
 “ us) is the most antient way of all; and that
 “ is, my lords, *via fausta*, both to majesty, to
 “ your lordships, and to ourselves; for, my
 “ lords, this is the greatest bond that any sub-
 “ ject can have in open parliament, *verbum*
 “ *regis*; this is an high point of honour; but
 “ this shall be done by the Lords and Commons,
 “ and assented to by the King in parliament.
 “ This is the greatest obligation of all, and
 “ this is for the King’s honour and our safety;
 “ therefore, my lords, we have drawn the form
 “ of a petition, desiring your lordships to concur
 “ with us therein, for we come with the unani-
 “ mous concurrence of all the House of Com-
 “ mons; and there is great reason your lordships
 “ should do so, for your lordships be involved

“ in the same danger. And so I have done
 “ with the first part; and I shall now desire,
 “ with your lordships’ leave, that I may read
 “ that which I have so argued on.”

There is one other speech of Sir Edward Coke’s connected with this subject, and which is peculiarly entitled to the attention of Mr. Bankes.

When it became known to the House of Commons, that the ministers of the Crown were intent upon either perverting the meaning, or defeating the intention of the petition of right, such attempts were naturally very warmly resented in the House of Commons; upon which the King sent a message to the House, desiring, “ that members of the House would not spend
 “ their time in *laying any scandal or aspersions*
 “ upon the state, government, or ministers there-
 “ of:” in other words, no “ *stigmas.*” Upon which Sir Edward Coke made the following speech: “ We have dealt with that duty and
 “ moderation that never was the like, *rebus sic*
 “ *stantibus*, after such a violation of the liberties
 “ of the subject. Let us take this to heart. In
 “ 30 Ed. III, were they then in doubt in par-
 “ liament to name men that misled the King?
 “ They accused John de Gaunt, the king’s son,
 “ and Lord Latimer, and Lord Nevil, for mis-
 “ advising the king, and they went to the Tower
 “ for it. Now, when there is such a downfall
 “ of the state, shall we hold our tongues?
 “ How shall we answer to God and men?

“ 7 Hen. IV, Parl. Rot. numb. 31 and 32 ;
 “ 11 Hen. IV, numb. 13 : there the council are
 “ complained of, and are removed from the
 “ King : they mewed up the King, and dis-
 “ suaded him from the common good. And
 “ why are we now retired from that way we
 “ were in ? Why may we not name those that
 “ are the cause of all our evils ? In 4 Hen.
 “ III, and 27 Ed. III, and 13 Rich. II, *the*
 “ *parliament moderateth the King's prerogative,*
 “ *and nothing grows to abuse, but this House*
 “ *has power to treat of it.* What shall we
 “ do ? Let us palliate no longer ; if we do,
 “ God will not prosper us. I think the Duke
 “ of Buckingham is the cause of all our mise-
 “ ries ; and till the king be informed thereof,
 “ we shall never go out with honour, or sit
 “ with honour here. That man is the grievance
 “ of grievances. Let us set down the causes
 “ of all our disasters, and all will reflect upon
 “ him.”

How *personal* the lord chief justice would
 have been considered, had he been in parliament
 in our times ! These are the specimens of what
 an English House of Commons *has* been ; the
 models of what it *should* be. What a contrast
 they present to a modern ministerial, pen-
 sion-making committee !—To a House of Com-
 mons in our own day, it must appear almost
 fabulous, that such illustrious members ever
 occupied the same benches with themselves : yet

the same machinery is still in existence; *the same power over supply*; the same means of preserving to their country what was so nobly gained for it two centuries ago.

Let us hope, then, that the same efforts, which were so happily begun in the last session of parliament, to return to those ancient and parliamentary courses, which according to Lord Coke are always "the safest and the surest ways," to restore to the House of Commons its just and constant control over supply—may be again renewed, and with increased success. It is no small encouragement to reflect, that if the representatives of the people have become infected, the nation itself remains sound. The same love of justice, the same respect for the laws, which Lord Bacon attributed to the people of England two centuries ago and upwards, happily remain their peculiar and striking characteristics to the present day. In the letter of advice, which has been before referred to, from Lord Bacon to Sir George Villars, he says, "Let the rule of justice be the laws of the land, an impartial arbiter between the king and his people, and between one subject and another. I shall not speak superlatively of them, lest I be suspected of partiality; but this I may truly say, they are inferior to none in the Christian world. They are the best, the equallest in the world, between prince and people, by which

“ the king hath the justest prerogative, and the
 “ people the best liberty; and if at any time
 “ there is an unjust deviation, *hominis est*
 “ *vitium non professionis*. And, as far as it may
 “ lie in you, *let no arbitrary power be intruded*.
 “ *The people of this kingdom love the laws*
 “ *thereof, and nothing will oblige them more*
 “ *than a confidence of the free enjoying them*.
 “ *What the nobles once said in parliament,*
 “ *Nolumen leges Angliæ mutare, is imprinted*
 “ *in the hearts of all the people*.

It was “ *this love of the laws,*” so firmly “ *im-*
printed in the hearts of all the people,” which
 formed the main defence of the Queen of England
 and of the Constitution, against the *intrusion*
 of an *arbitrary*, tyrannical, and *ex post facto* law.
 And as the courage and the constancy of the
 people were so eminently useful to their country
 on that occasion, in the preservation of its laws,
 so let us hope, that the same qualities may be
 again displayed, and with the same success, in
 demanding from their representatives an honest
 and faithful discharge of their duties in the pro-
 tection of their property, and a return to those
 true and ancient constitutional courses in their
 proceedings, which have enabled former parlia-
 ments “ *to keep judges, ministers, and all men*
 “ *in good order.*”

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